## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

IN THE MATTER OF: KIRK S. WRIGHT ) FILE NO. 0600323

## Order of Revocation

TO THE RESPONDENT:

Kirk S. Wright (CRD#: 4649931)

3280 Turtle Lake

Court Marietta, Georgia 30067

C/o International Management Associates, LLC

1899 Powers Ferry Road, Suite 160

Atlanta, Georgia 30339

WHEREAS, the above-captioned matter came on to be heard on October 10, 2007, pursuant to the Notice of Hearing dated November 2, 2006, filed by Petitioner Secretary of State, and the record of the matter under the Illinois Securities law of 1953 [815 ILCS 5] (the "Act") has been reviewed by the Secretary of State or his duly authorized representative.

WHEREAS, the rulings of the Hearing Officer on the admission of evidence and all motions are deemed to be proper and are hereby concurred with by the Secretary of State.

WHEREAS, the proposed Findings of Fact, conclusions of Law and Recommendations of the Hearing Office, George Berbas, Esq., in the above-captioned matter have been read and examined.

WHEREAS, the proposed Findings of Fact of the Hearing Officer are correct and are hereby adopted as the Findings of Fact of the Secretary of State:

- 1. The Department served Respondent with the Notice of Hearing on June 27, 2007.
- 2. Respondent failed to appear either by himself or through his attorney at the hearing on August 10, 2007, and also failed to respond or otherwise answer to the allegations in the complaint.

- 3. Due notice having been given to the Respondent, and Respondent having failed to appear, the Department was allowed to proceed to a Default Hearing.
- 4. That at all relevant times Mr. Kirk Wright was registered with the Secretary of State as an investment advisor representative in the State of Illinois pursuant to Section 8 of the Act.
- 5. That on March 9, 2006, the Commissioner of Securities for the State of Georgia entered a decision regarding Case No. ENSC-00832 suspending the Respondent's registration as an investment advisor representative.
- 6. That a review of the Composite Information for Respondent in CRD #4649931 shows that Respondent failed to file an amendment to his U-4 form to reflect the suspension by the Commissioner in the State of Georgia.

WHEREAS, the Secretary of State makes the following additional findings of fact which (1) were alleged in the Notice of Hearing and Deemed admitted due to the Respondents failure to answer or appear at the Hearing, and (2) were proved at the Hearing.

- 7. That Section 12.D of the Act provides, <u>inter alia</u>, that is shall be a violation of the provisions of the Act for any person to fail to file with the Secretary of State any application, report or document required to be filed under the provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act.
- 8. That Section 8.E(1)(g) of the Act provides that the registration of an investment advisor representative may be revoked if he has violated any of the provisions of this Act.
- 9. That by virtue of the foregoing, the Respondent's registration as an investment advisor representative in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(g) of the Act.

WHEREAS, the proposed Conclusions of Law made by the Hearing Officer are correct and are hereby adopted as the Conclusions of Law of the Secretary of State:

- 1. The Department properly served the Notice of Hearing on Respondent on June 27, 2007.
- 2. The Secretary of State has jurisdiction over the subject matter hereof pursuant to the Act.

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- 3. Respondent failed to answer or otherwise appear at the hearing in accordance with Section 130.1104, therefore,
  - a. The allegations contained in the Notice of Hearing are deemed admitted.
  - b. Respondent waived his right to a hearing.
  - c. Respondent is subject to an Order of Default.
- 4. At all relevant times, the Respondent was registered with the Secretary of State as an investment advisor representative in the State of Illinois pursuant to Section 8 of the Act.
- 5. On March 9, 2006, the Commissioner of Securities for the State of Georgia entered an Order in Case No. ENSC-00832, which suspended the Respondent's investment advisor representative registration.
- 6. The Respondent failed to file an amendment to his U-4 Form to reflect the Suspension.
- 7. Section 8.D-5 of the Act provides that any change which renders no longer accurate any information contained in any application for registration or re-registration as an investment advisor representative shall be reported to the Secretary of State within 10 business days after the occurrence of such change. If the activities are terminated which rendered any individual an investment advisor representative for the dealer, issuer or controlling person, the dealer issuer or controlling person, as the case may be, shall be notify the Secretary of State, in writing, within 30 days of the investment advisor representative's cessation of activities, using the appropriate termination notice form.
- 8. Section 12.D of the Act provides, <u>inter alia</u>, that it shall be a violation of the provisions of the Act for any person to fail to file with the Secretary of State any application, report or document required to be filed under the provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act.
- 9. Section 8.E(1)(g) of the Act provides that the registration of an investment advisor representative may be revoked if he has violated any of the provisions of this Act.
- 10. The Respondent's registration as an investment advisor representative in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(g) of the Act.

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11. The Department proved the allegations contained in the complaint in the Default prove-up hearing on August 10, 2007.

WHEREAS, the Hearing Office recommended that the Secretary of State should REVOKE the Respondent Kirk Wright's registration as an investment advisor representative in the State of Illinois is correct and the Secretary of State adopts in its entirety the Recommendation made by the Hearing Officer.

## NOW THEREFORE, IT SHALL BE AND IS HEREBY ORDERED:

- 1. Respondent Kirk S. Wright's registration as an investment advisor representative in the State of Illinois is <u>REVOKED</u> pursuant to the authority provided under Section 8.E(l)(g) of the Act.
- 2. This matter is concluded without further proceedings.

NOTICE: Failure to comply with the terms of this Order shall be a violation of the Section 12.D of the Act. Any person or entity who fails to comply with the terms of this Order of the Secretary of State, having knowledge of the existence of the Order, shall be guilty of a Class 4 Felony.

This is a final order subject to administrative review pursuant to the Administrative Review Law, {735 ILCS 5/3-101 et seq.} and the Rules and Regulations of the Illinois Securities Act, {14 Ill. Admin. Code Ch. I, Section 130.1123}. Any action for Judicial Review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review.

ENTERED THIS  $U^{T}$ 

11th day of January, 2008

JESSE WHITE
Secretary of State
State of Illinois

Attorney for the Secretary of State: Daniel A. Tunick Office of the Secretary of State Illinois Securities Department 69 West Washington Street, Suite 1220 Chicago, Illinois 60602 Telephone: (312) 793-3384